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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

vs.

Bert Wayne Davisson,

Defendant.

2:16-cr-00265-GMN-NJK

**Stipulation to Extend Time for
Government to File its Response to
Davisson's Motion to Dismiss Counts 7
and 9 of the Superseding Indictment, ECF
No. 1898, and for Davisson to file his
Reply**

The United States and defendant Bert Wayne Davisson stipulate the government's response to Davisson's Motion to Dismiss Counts 7 and 9 of the Superseding Indictment, ECF No. 1898, to extending the due date for the government to have filed its response to Davisson's motion from October 30, 2019, to October 31, 2019, and Davisson's reply brief will be due by November 8, 2019.

1 The parties filed a stipulation extending the due date for the government to file its
2 response from October 24, 2019, to October 30, 2019. ECF 1925. Notwithstanding the
3 language of the stipulation, the undersigned government counsel, believed – erroneously – that
4 the government’s response was due on October 31, 2019, and filed its response on that date.
5 Originally, the parties had agreed to extending the government’s due date by a week, leading
6 undersigned counsel to believe its response was due on October 31, 2019, but on November 1,
7 2019, government realized it had inadvertently drafted the stipulation to provide for the seven-
8 day extension to run from the day it filed the stipulation – that is, October 23, 2019, and not
9 from the day the response was due, October 24, 2019. Government counsel and Davisson’s
10 counsel have consulted on November 1, 2019, and have agreed to stipulate to that the due date
11 for the government to file its response be extended from October 30, 2019, to October 31, 2019.

12 The parties also stipulate that Davisson will have until November 8, 2019, to file a reply
13 brief.

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16 United States Attorney

17 /s/ Daniel R. Schiess
18 DANIEL R. SCHIESS
19 Assistant United States Attorney

20 JOHN S. HAN
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24 /s/ Lance J. Hendron, Esq.

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Counsel for Bert Wayne Davisson

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11
12 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

13 **United States of America,**

14 Plaintiff,

15 vs.

16 **Bert Wayne Davisson,**

17 Defendant.

2:16-cr-00265-GMN-NJK

**Order Extending Time for Government
to File a Response to Defendant
Davisson's Motion to Dismiss Counts 7
and 9 of the Superseding Indictment,
ECF No. 1898, and for Defendant
Davisson's Reply Brief to be due by
November 8, 2019**

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20 IT IS HEREBY ORDERED that the due date for the government to file is response
21 to Defendant Davisson's Motion to Dismiss Counts 7 and 9 of the Superseding Indictment
22 be extended from October 30, 2019, to October 31, 2019.
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IT IS FURTHER ORDERED that Defendant Davisson's Reply will be due by
November 8, 2019.

Dated: November 4, 2019


UNITED STATES MAGISTRATE JUDGE